U.S. Patent Application Dkt No. 088.000426.US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE:

I certify that this Letter is being facalmile transmitted to the United States Patent and Trademark Office in accordance with 37 CFR §1.8 to Facalmile Number (703)308-5077 on March 7,2005

Richard Lohman, Esq. Reg. No. 48,878

Applicant:

TOFANI, Santi

Examiner: Nguyen, Quang

Serial No:

09/720,549

Group Art Unit: 1636

Filing Date:

December 22, 2000

For:

APPARATUS AND METHOD FOR INTERFERING WITH PATHOLOGICAL

CELLS SURVIVAL PROCESSES

Customer No. 24041 Confirmation No. 3360

### REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
United States Patent and Trademark Office
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Alexandria, VA 22313-1450

Dear Sirs:

This is a request for refund of an erroneous charge which appears on our December 2004

Deposit Account Statement (No. 500822) for the above-identified U.S. Patent Application.

More specifically, there is a \$315.00 charge for extra Claims (Fee Code 2202) = (35 \*

\$9.00 = \$315.00) on 12/6/04, Sequence No. 4.

Adjustment Date: 04/07/2005 SDIRETA1 12/06/2004 CDESSAU 00000003 500822 09720549 01 FC:2202 315.00 CR Page Two Request for Refund U.S. Serial No. 09/472,546 Attorney Docket No. 699.999450 Sent via facsimile to: (703)308-5077 March 7, 2005

It is believed that the charge stems from the Amendment and Request for Reconsideration which was mailed to the U.S. Patent and Trademark Office by the undersigned attorney on November 29, 2004.

In view of the fact that there were only 11 claims remaining after the aforementioned Amendment, and the highest number of claims previously paid for was 56, there should be no additional fee; (Claims 1 through 76 had all been either cancelled or withdrawn).

THEREFORE, even though new Claims 77 through 87 were added, they were not in excess of what was previously paid for.

To rectify this erroneous charge, please proceed to credit our Deposit Account No. 500822 in the total amount of \$315.00. If anything further is needed, please advise.

Dated: March \_\_\_\_\_\_\_\_, 2005

Respectfully submitted,

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#### FACSIMILE COVER SHEET

To:

Office of Finance - Refund Branch

Company:

Deposit Accounts - USPTO

Fax #:

1-703-308-5077

From:

C. Richard Lohrman, Attorney for Applicant

Date:

March 7, 2005

Pages:

3 (including cover sheet)

#### Message:

Please issue a refund per the request that follows.

Very truly yours,

C. Richard Lohrman Attorney for Applicant Registration No. 46,878

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